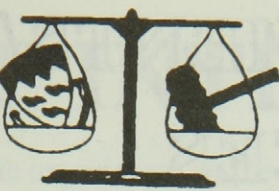


Quid Novi



Vol. XI, No.9

MCGILL UNIVERSITY FACULTY OF LAW
UNIVERSITE MCGILL FACULTE DE DROITOctober 29, 1990
le 29 octobre 1990

GOOD GUYS AND BAD GUYS

by Julie Godin, Nat'l. IV

Why is it that television would have us worship policemen (and women), while movies reflect our obsession with criminals?

More than ever, the Networks are bombarding TV viewers with images of cops: singing cops (Coprock), real life cops (Rescue 9.1.1.), even the audience as cop (America's Most Wanted)...

Into our homes comes a reassuring stream of "law 'n order", a single comforting message: Yes, the world is a

bad and scary place, but Thank Goodness!, there's police out there! Here they are, cleaning up crack houses, catching child molesters, or stalking that infamous non-human, the cop-killer.

When the weekend comes, however, we crave a little danger, something unsettling. Luckily, there seems to be a rash of films centering on the lives of criminals (State of Grace, Miller's Crossing, Good Fellas).

Good Fellas is a great crime film. When it was first screened for a "test audience", people walked angrily out of the theater -

they were outraged that criminals had been depicted in such a sympathetic and attractive light. When I saw this movie, I was puzzled by the strange repulsion/attraction effect.

The "wiseguy" portrayed are on the lowest echelon of organized crime, and they are in charge of the dirty work. Their lack of conscience is incredible. In one scene, three gangsters have breakfast with an elderly woman as a dying man struggles inside the trunk of their car, parked in full view of their table.

Con't on p. 5

Sangsues etc.

par Stéphane Éthier, LLB III

Je suis allé, le 16 octobre dernier, au lancement du nouvel album «Double» de Roch Voisine. Ça se passait au chic Hard Rock Café, x-millième rejeton d'une chaîne qui devrait prochainement s'étendre à Sainte-Émilie-de-l'Énergie, parce que le reste du globe est déjà envahi.

Autant l'avouer tout de suite, je ne connaissais du beau Roch (car oui, il est beau, le maudit!) qu'une certaine ballade bilingue inspirée d'un groupe d'étudiantes de BCL II. Pas de quoi me faire descendre rue Crescent, si vous voyez ce que je veux dire.

Mais que voulez-vous, je me suis dit que «everybody who was anybody» y serait, donc qu'il fallait voir ça. Et qu'y trouve-t-on dans ces lancements, monsieur, madame? Un heureux mélange de «wanna-bees» et de «has-beens». Un portier physionomiste rappelant les beaux jours du DiSalvio (ou du Swann, si vous êtes plus vieux). Et sexiste, avec ça! Alors que le tout-venant devait montrer patte blanche et carton noir, il suffit à quelques nymphettes en manque de flashes de lancer au bon portier une oeilade annonciatrice de sensations fortes pour que celui-ci, bavant d'envie, leur ouvre la porte du Saint-des-Saints.

Suite à la p. 4

In this issue Dans ce numero

Arnchair Conductor... p.5

Jim's Corner... p.6

Coup de theatre... p. 7

Competitive Mooting... p.9

Coin des Sports Corner
p. 11

ANNOUNCEMENTS/ ANNONCES

BOOKSTORE Permanent hours, beginning the week of Sept. 17th 1990: Tues.: 8h30-10h30; Thurs.: 8h30-10h30.

REVUE DE DROIT MCGILL LAW JOURNAL - Volume 35 (3) is now available at Sadie's.

FORUM NATIONAL - is pleased to present M. d'Iberville Fortier, Commissioner of Official Languages, who will be addressing contemporary linguistic issues in Canada post-Meech Lake. Make plans early not to miss what promises to be a lively discussion. All are welcome! Wednesday, Oct. 31 1990 in room 202 NCDH at 12h00. ALSO: meeting for all those interested on Oct. 24th at 12h15 in room 202.

TRANSCRIPT VERIFICATION - Students are requested to verify their transcripts at the Student Affairs Office between 9:30 a.m. and 12:30 p.m. commencing TUESDAY, OCT. 16-31. Students are urged to check in order to ensure correct registration of courses and degrees. Your compliance in verifying your record as early as possible will ensure immediate processing of corrections.

PARTY! PARTY! PARTY! Attention aspiring stars and hams alike! Practice your craft on an audience of your friends at Amateur Nite on Nov. 1 at 8 PM in the Common Room. Attention to social moths! Following your fellow students, the Cool Monsoons and a new band (interested yet?) will get

your feet a-tappin'. Summary STOP Party not to be missed STOP Nov. 1 STOP After Coffee House STOP STOP.

CANADIAN JEWISH LAW STUDENTS ASSOCIATION: Want to save big bucks on dining, hotels, clubs and a myriad of entertainment stuff? Buy the "Entertainment Book" for a mere \$35. See Howard Mandelcorn (845-5621), Gordo Levine (487-3087) or Seth dalfen (735-6940). The C.J.L.S.A. is planning a **Lobby Day** in Ottawa on Nov. 4-5. Come meet your M.P. For more info, contact the same people. Finally, a taste of the Middle East! **Falafel Day** at Coffehouse on Oct. 25. Come one, come all!

DELTA THETA PHI - Come listen to the Hon. Ed Broadbent speak of his mandate as Director of the Montréal-based International Centre for Human Rights and Development, on Wednesday, Oct. 31st 1990, at 13h00 in the Moot Court.

SOQUIJ/QUICKLAW - Nouvelles de QL et SOQUIJ: Tous(les) les étudiant(e)s qui détenaient un numéro de SOQUIJ l'an dernier peuvent maintenant utiliser SOQUIJ, avec le même mot de passe et aux mêmes conditions que l'an dernier (heures d'accès: 18h00-22h00 les jours de semaine, 8h00-17h00 le samedi). QL is also available to students who had a contract last year, with the same password and under the same conditions. For more info, contact Pierre Larouche in Rm. 52, OCDH, or 398-6666, ext. 5372 (afternoons only).

Fourth Annual Natan Sharansky Lectureship in Human Rights

Harvard Law Professor Alan Dershowitz, one of the most celebrated scholar-advocates of our day, and whom TIME Magazine called «the top lawyer of last resort in the country... a sort of judicial St. Jude», will deliver this year's Fourth Natan Sharansky Lectureship in Human Rights. The Lecture will take place on Tuesday, November 6th at 5:00 p.m. in the Moot Court on the topic «When Rights Collide - Freedom of Speech and the Rights of Vulnerable Minorities».

Professor Dershowitz will be joined in the Moot Court Bearpit by the Honourable Michel Proulx of the Québec Court of Appeal, who will introduce the Guest Lecturer; Associate Chief Justice of the Superior Court Lawrence Poitras, who will offer an appreciation; Québec Bâtonnière Sylviane Borenstein, who will bring greetings on behalf of the Bar, together with Law School Dean Yves-

Marie Morrisette and McGill Law Professor Irwin Cotler who will chair the event.

Professor Dershowitz's Lecture comes at a time of an explosion in racial incitement in many parts of the world, and when the Supreme Court of Canada is scheduled to hand down its long awaited decisions on the constitutionality of Canada's anti-hate legislation.

Dershowitz, who has acted as defence counsel in some of the most celebrated cases of this generation, will also be visiting Montréal at the same time as the movie based on his book, «Reversal of Fortune» - highlighting his defence of Von Bulow - premieres in Montréal. He has recently returned from the Soviet Union where he met with Soviet President Mikhail Gorbachev on the issue of racial incitement in the Soviet Union.

THE COMMISSIONER IS COMING: Forum National presents D'Iberville Fortier

by Leigh Crestohl, B.C.L. I

After a summer of tension-filled constitutional debate and anxiety, the problem of linguistic relations and policy in the aftermath occupies a new prominence in national affairs. Many of us have no doubt felt the strain that the death of the Meech Lake Accord has had on relations between the two linguistic groups in all regions of the country and cannot help feeling concern about what the future may hold.

The particular nature and context of the contemporary issue has in many ways shifted attention to the leadership of the federal government in this area as well as at the work of the Commissioner of Official Languages, D'Iberville Fortier who Forum National presents to the faculty this Wednesday at 12:00 in Room 202.

Le travail de M. Fortier est sans doute rendu plus difficile à cause de la réticence sur la part du gouvernement fédéral pour donner de l'effet à la nouvelle Loi sur les langues officielles adoptée en 1988. C'est quand même surprenant qu'une telle initiative législative ayant recue l'appui de tous les partis politiques, et si importante pour définir le caractère bilingue du Canada, ne soit pas encore réalisée.

D'Iberville Fortier, Commissioner of Official Languages since 1984, in his annual report released last April, has rather vehemently stressed the importance of breathing life into the Act. He titled his last report "From Act to Action", but this year, still waiting for the machinery of government to issue language policy guidelines, he has added a question mark, "From Act to Action?". His criticism of the "slower than slow implementation of the Act" has a particularly biting pertinence in a period of difficulty for linguistic duality where the mere symbolic gesture of passing a new Act is, in itself, insufficient both in terms of reassurance and exerting leadership.

It can be expected then that D'Iberville Fortier will have plenty to say when he speaks here on Wednesday. There is no doubt that the problem will persist, but hearing the man who lives with this problem daily and takes his job very seriously will at least, I hope, prove reassuring for those like me who are disturbed by the ominous direction in which linguistic policy in Canada seems to be heading.

THE ART OF INTERVIEWING

by Jennifer Zerczy, B.C.L. III

What could be scarier than finding out that the Darth Vader was actually Luke Skywalker's father? Or learning that Professor Scott is the reluctant judge for your first-year moot? Allow me to add another fear to your anxiety closet (to borrow a phrase from my good friend Berkely Breathed): the law firm interview.

Whether you begin in second year or wait until fourth, the majority of us will inevitably face a panel of blasé lawyers who have far, far better things to do than listen to you justify the last twenty years of your life, while emphasizing the 10 hours of community service that you performed in 1982, which subsequently enriched your life and directed you into law school so that you could continue your life of service to others.

The key to a successful interview is of course to actually be remembered once you leave the room. The following guidelines are guaranteed to get you noticed and are based, for the most part

on real-life experiences on the interview circuit by people who lived to tell about them and who are now gainfully employed as summer slaves or stagiaires.

What to wear

Navy blue. Always wear navy blue. Law firms love navy blue. When in doubt, ask yourself if Rosalie Jukier would wear it. If yes, then go ahead. Men, you can use Jeff Nadler as your guide. Worried that the tie you want to wear is a little too avant-garde? Ask Jeff what he thinks. Never, under any circumstances should you wear grey flannel slacks with your navy blue jacket. Completely unmemorable. Your rule of thumb should be never to wear anything that five hundred private school students are wearing at the same time.

What to say

1. "I am an orphaned, unmarried, atheist work-a-holic. I am also deeply interested in title searches."
2. "Can I have access to the office in the middle of the night?"
3. "I am a close, personal friend of Jeff Nadler's."

4. "I was too embarrassed to include the names of all the academic prizes that I won."

5. "You will find the second edition of my text-book much more esoteric."

What not to say

1. "How about a corner office? I'd love a corner office with a nice view!"
2. "How flexible are you in terms of maternity leave?" or "Is there a day-care center on the premises?"
3. "How much vacation time do I get?"
4. "Do you represent any professional wrestlers? I only represent wrestlers."
5. "I don't speak any: (pick one!) english/french."
6. "Jeff Nadler is a close, personal friend of mine."
7. "What type of dental plan do you have?"
8. "Bar school was the most enlightening experience of my life."

Good luck and remember: it's not what you say, it's whether or not your c.v. is laser-printed.

WHERE IS EVERYBODY?

by Zino Macaluso, Nat. IV

Well, if no one is going to say anything then I guess I should. Where the heck is everybody? Here I am in my fourth year of legal studies at McGill and yet when I walk into a classroom the only person I recognize is the professor - and that's if I'm lucky. It's almost like Invasion of the Body Snatchers. The building is the same, the cafeteria food is the same (ugh!), but all the people have been replaced by incredible facsimiles.

The worst part about all of this is the fourth year "Alzheimer Effect". People who I'm convinced I've never spoken to

in my life sit down next to me in the pit and start talking about the reunification of Germany or something. Huh? I'll give you an example. I went to a Coffee House recently and got into a conversation with a person I assumed was a new student. I said something to the effect of, "So how is your moot going?". He replied, after a pregnant pause, "Zino, I'm in by fourth year". Oh. Yea!

Does it ever happen to you that people say hi in the halls but as they pass you you think to yourself, "Who was that?". What's next? Will I forget how to tie my own shoes? Will I forget where I've parked my car? Will I start reading case

books again?

You may think I'm being silly, but how many among us (fourth year students) actually remember what a fee tail is? What is an obligation of result? What will happen if I leave \$10,000.00 in jewels in my car at the parking lot? Why has law school done this to us? Isn't it enough we only really feel comfortable in beige clothing?

Anyway, I guess I should get back to work. Why am I writing this? I forgot. Hey, pass me another one of those fluorescent hi-liters will you?

Quid Novi is published weekly by students at the Faculty of Law of McGill University, 3644 Peel Street, Montreal, H3A 1W9. Production is made possible by support of the Dean's office and by direct funding from the students. Opinions expressed are those of the author only. Contributions are published at the discretion of the editor and must indicate author or origin.

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Quid Novi est une publication hebdomadaire assurée par les étudiants de la faculté de droit de l'université McGill, 3644 rue Peel, Montréal, H3A 1W9. La publication est rendue possible grâce à l'appui du bureau du doyen, ainsi que par le financement individuel des étudiants. Les opinions exprimées sont propres à l'auteur. Toute contribution n'est publiée qu'à la discrétion du comité de rédaction et doit indiquer l'auteur où son origine.

Sangsues...

Suite de la p. 1

Je me suis contenté de lui montrer mon carton d'invitation (ah! ce qu'un simple coup de téléphone à une aimable relationniste peut faire: d'ailleurs, je pense que je n'étais pas le genre du portier...et réciproquement!).

Une fois à l'intérieur, vite, au bar. J'ai évité de demander un verre de lait (franchement meilleurs), craignant qu'on ne me prenne pour Roch. Une Black fera l'affaire, mademoiselle. C'est gratuit? (Surtout, avoir l'air blasé, avoir l'air d'avoir affaire là). Les petits sandwichs sont gratuits aussi? Yeurk! Je comprends pourquoi! «Au bon goût de colle époxy», il y a sûrement du LSD là-dedans! Je vais me rabattre sur la bière: c'est plus difficile de «moffer» de la Black...

Six heures et quart. Roch apparaît. Du moins, c'est ce que je me dis, parce que toutes les caméras (même le Nikon d'une nymphette) pointent dans la même direction. Les flashes flashent, et, comme au last call dans une discothèque, on voit notre voisine (sans jeu de mots...) sous un tout nouveau jour. Ah! c'était un voisin? Manque de chance, la nymphette a oublié d'ôter le capuchon de la lentille de son Nikon: ça valait la peine de dépenser \$350! La nymphette n'est pas contente-contente. Rectification: elle est en ta...! Je vous dis, les mecs, c'est pas beau une nymphette en beau calvaire! Elle aurait mieux fait de continuer à cruiser le portier, on ne sait jamais, et puis, ça coûte moins cher.

Denrée importante dans un tel événement: le nymphet. Ou, si vous aimez mieux, le minet (ça tombe bien, Mame Minou, l'astrologue en chaleurs, est là. Je pense qu'elle n'est pas trop le genre du minet...). Le couple nymphette-nymphet (pourant défiant toute prévision) est particulièrement friand de photographes grasseyés (on dirait des imprésarios) et d'apparitions dans Échos-Vedettes. Question: qu'est-ce qu'ils font lorsqu'ils ne sont pas ici? Leur

arrive-t-il d'aller aux toilettes, même si la coke n'est plus à la mode?

Roch continue de donner des entrevues à la télé, à la radio, aux journaux, et peut-être même à Échos-Vedettes. En fait, c'est toujours la même entrevue: «Es-tu content de ton nouveau disque? (Non, non, je le trouve minable, achetez pas ça!). Penses-tu qu'il va se vendre autant que le premier? (Lire: Vas-tu continuer à nous faire faire beaucoup d'argent parce qu'on arrêtera pas de parler de toi?). Quand pars-tu en tournée? (Quand j'vas avoir fini de répondre aux mêmes questions épaisses). «Blablabla... Un p'tit sourire mon Roch? Ta montre flashe benque trop, rentre ça...»

Et le disque, là-dedans? 22 chansons, en français et en anglais. Beaucoup de jolies ballades à la guitare acoustique, un peu uniformes, malheureusement. Cabrel et Kashtin ont contribué à la musique, pas mal d'ailleurs. Un petit rock, par-ci, par-là, histoire de chauffer les sangs des jeunes «Hélènes» en devenir. Histoire de faire transpirer Roch, pour qu'il soit aussi sexy que Tom Cruise dans «Top Gun». C'est tellement beau un homme qui pue, d'abord! Enfin bon, c'est pas un mauvais auteur-compositeur et il a une belle voix: un bon disque pop, somme toute, bien radiophonique (à CKOI comme à CKAC). On ne fait pas plus middle-of-the-road, mais on ne le fait pas mieux non plus. Et Roch est un gentil garçon, qui a gardé son intégrité malgré tout. C'est plus que ne peuvent en dire les sangsues du Hard Rock.

MORAL DILEMMA

Horror of horrors!!! The hot meal in our beloved cafeteria no longer includes soup! Here's the problem. You are in line and order a hot meal. Unaware of this scandalous change in pricing policy, you blindly take a bowl of soup and place it on your tray. At the cash, you ignorantly pay for the soup as you are still in a daze from «Special K». You fail to see the poster advising you that soup is no longer included. Do you complain? Do you go to Small Claims Court?

Good...

Con't from p. 1

When the most psychopathic, evil, trigger-happy gangster finally gets murdered Scorsese cuts to a scene of his buddy (Robert De Niro) crying openly as he realizes that his friend has been killed. And somehow the audience feels sad because this sleazy, cruel, sadistic man has been wiped out in a settling of accounts. Perhaps we are disappointed to see this fascinating character drop out of the story.

We feel a strange attraction to these extreme anti-heroes. As the protagonist's wife remarks, after she sees him beat up his neighbour with the butt of his gun, and he hands her the bloody pistol: "Somehow, it turned me on."

Such a film is inevitably criticized for its violence, and the murders it portrays are swift, messy and very real. Nevertheless, a director like Scorsese operates in a realm where he can do as he pleases. There is no doubt that such a depiction of

criminals cannot be tolerated in TV land.

Our fascination with the bad guys is probably fuelled by constant exposure to a mythical image of the noble policeman. Watching *GoodFellas*, I was reminded of Milton's *Paradise Lost*. A devout Christian, Milton set out to describe the Fall of Man in an epic poem. However, the characters of Adam and Eve emerge as bland and lifeless automations. The most flamboyant, memorable character in the story, you guessed it, turns out to be Lucifer.

The Armchair Conductor

by Drew Berman, LLB III

For those who recall my article on Chopin piano music from last year, well, here's an update. But first a bit of background:

In the mid-70's Vladimir Ashkenazy first released his critically acclaimed Chopin solo piano music on record, wherein each LP contained a mixture of preludes, waltzes, nocturnes and mazurkas; a pseudo mini-recital, if you will. This format captured the breadth of Chopin's versatility as well as served to document his development.

Then, when CD's became the *nec plus ultra* of music reproduction, the powers-that-be at Decca-London decided that each disc should be limited to one form; that is, preludes on one disc, waltzes on another, and so on.

This format is wonderful if you wanted the complete prelude cycle, however, those seeking a more concert-style atmosphere were apt to be disappointed somewhat.

Fortunately, London has now released a mid-priced Jubilee series (i.e. \$17.95 or less) disc of Ashkenazy's favourite Chopin works. This disc promises to fill a void in the Chopin catalogue as it contains a well-balanced cross section of

form, style and chronology.

Ashkenazy's performance is authoritative, powerful and poetic and the lush recording is indeed excellent and true to the Decca-London standards.

Those searching for a well-rounded representative disc of Chopin piano music will find this disc to ideal, and those looking for an inexpensive introduction to Chopin couldn't find a better starting point.

* * *

With respect to Montréal Symphony tickets, allow me to elaborate on my article from a few weeks past.

If you venture to the ticket office one hour before curtain time you can purchase «rush» seats for somewhere around \$8.00. Naturally, these seats will be

located in the second or third balcony (i.e. the stratosphere), but don't despair.

The average programme is usually divided into 2 or 3 works: a short opening or «warm up» piece, usually an overture, followed by a symphony or a concerto and a symphony.

Here's the rub: after the opening selection (1) peer below you at the floor seats and first balcony; (2) locate an appropriately empty seat or two; (3) stealthily glide into said seat(s) before the second selection begins.

Voilà! Just like a Canadiens game. Of course, if the rightful owner attempts to claim his/her rightful seat - simply look indignant and mumble an apology while giving the air that he/she is truly the one at fault. And by the way, you didn't hear this from me.

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JIM'S CORNER LAW SCHOOL BEEFS

by James Hughes, B.C.L. III

Our training here at Chancellor Day involves the objective appraisal of the facts. We are studied in the science, indeed the art, of clear reflection and rigorous analysis. When it comes to distinguishing case situations, who you gonna call?

So, what distinguishes this Law School from all others? Positive, optimistic stuff aside, here are a few of McGill's features that, objectively, can only be described as beefs:

1. The Men's Washroom Stinks: An arsenal of urinals and regular traffic produces daily casualties.
2. Mystery elevator rides that have the darkness and craxy sounds of any good La Ronde ride. I thought there were only

seven floors to this building.

3. Photocopiers and water fountains that work about as often as English Montreal daily newspapers.
4. 8:00 am Tax classes: Mintzberg is good but why do practioners need so little sleep?
5. Who here is tired of vegetable paté sandwichs in the Cafeteria? Why can't I order a Michigan and fries for \$2.00 like at Lafleur's?
6. Unpredictable Temperature Changes: Shouldn't it be warmer during the winter and cooler during early Fall and late Spring? I think the Faculty's Heating Committee should resign honourably.
7. The Peel Street Hill. I hate walking the Hill. I despise and loathe and fear it. The

sight of the 107 bus preparing its charge up the incline is an inspiring and almost heavenly vision.

8. With noted exceptions, our librarians do not like us. We seem to be the enemy, the foe, the contaminant. We disturb the systematic functioning of the institution and we pay for it by the receipt of impatience and occasional abuse.

9. Moot Court is too comfortable. Sleep pigs understand.

10. I hate people who say they do no reading but are actually closet studiers (like Scott Levitan - right...).

If you have comments on these or other beefs, contact Bram Freedman - he doesn't have enough to do already.

Oh, No...Not Another Martian

by Arnold Bornstein LL.B. III



Coup de théâtre! Ou une critique en 3 actes

par Marie-Claude Goulet, BCL III

Alors que certains d'entre vous étiez peut-être plongés, bien malgré vous, dans des écrits nébuleux du 17^e siècle, d'autres se plaisaient à entendre et à regarder des oeuvres classiques. Permettez-moi donc de vous offrir mon humble critique.

1^{er} Acte:

Aimez-vous Molière? L'école des femmes, ça vous dit quelque chose? Un homme se cherche une femme, quoi de mieux que de la trouver à ses quatre ans et surtout de la garder bien sotte et bien cachée, pour mieux se la réserver! Mais, réussira-t-il? Voilà, en une phrase, l'histoire qui se joue au Théâtre du Nouveau Monde depuis le 16 septembre dernier.

Une pièce classique, une mise en scène classique, un décor et des costumes classiques... Une pièce acclamée par son public, et avec raison, et une performance remarquable d'Anne Dorval. Je dirai pour ma part que les comédiens m'ont semblé tous aussi bons les uns que les autres, du moins après quelques instants de réchauffement. Une seule ombre au tableau d'un classique parfait, c'est la

rime qui mène l'interprétation qui à mes oreilles est vite devenue récitation. Que je m'ennuie de Cyrano...

Pour reprendre les mots de Dorante (La critique de l'École des femmes, Acte 1, scène 6): «Lorsque vous peignez les hommes il faut peindre d'après nature...et vous n'avez rien fait, si vous n'y faites pas reconnaître les gens de votre siècle.» La pièce est-elle à cette hauteur? Grâce à Molière et à la nature humaine, c'est certainement fort réussi. On entend en effet les rires les plus forts du public suite aux remarques les plus dominatrices du maître masculin. On ne doit donc rien ici à la mise en scène qui ne semble pas être de notre siècle, du moins jusqu'à ce qu'à la toute fin du spectacle, alors qu'Agnès se défait lentement de son étouffante collerette blanche. C'est probablement là que l'on retrouve toute la splendeur de la pièce dans «une fin empreinte de globalité» comme diraient certains. Une finale qui sème certainement le doute, qui fait tout sauf laisser indifférent, puisqu'elle est d'une grande et douce beauté.

2^e Acte:

Vous préférez peut-être un style plus baroque? Je vous présente donc

L'illusion comique de Corneille, auteur qui a d'ailleurs déjà été décrit par certains comme «un avocat de province».

Un homme cette fois recherche son fils et un magicien lui fera voir la vie de celui qu'il croyait perdu. Cherchez l'illusion... Vous la trouverez dans un dictionnaire français du 17^e siècle ou tout simplement en vous réfugiant à la Salle Denise Pelletier où la Nouvelle Compagnie Théâtrale vous présente L'illusion comique depuis le 19 octobre.

Chapeau d'abord à la mise en scène d'André Brassard qui, tout en étant moderne, ne se heurte pas à l'oeuvre de l'auteur. Bravo pour les jeux d'ombres qui ne masquent rien et pour la création, sous nos yeux, d'une pièce jouée en triplicata. Bravo aussi aux comédiens pour leur interprétation chaude et colorée et pour avoir su se détacher de la rime pour la mettre en valeur.

Une tache au tableau, le deuxième acte n'est pas à la hauteur du premier. J'irais même jusqu'à dire qu'il est un peu ennuyeux. Doit-on blâmer Corneille qui avait lui-même affirmé que cette pièce était «...une galanterie extravagante, qui a tant d'irrégularités...» ou peut-être est-

Suite à la p. 8

Cheval de bataille

par Maryse Beaulieu, BCL III

Tracer une ligne sur la paupière gonflée de sommeil. Avaler un café de toute pompe. Se plaquer du rouge sur les lèvres afin de discerner les traits d'un visage trop pâle que la nuit a voilé de sa blancheur immaculée. Écouter les nouvelles du matin parce que la vie ne s'arrête pas pour dormir et qu'elle braille son urgence via les ondes hertziennes.

Se taper un autre café pour s'assurer qu'il y a un coeur sous cette poitrine, prêt à

rugir et rutilant, qu'on feindra d'oublier dans notre magnanime turpitude parce qu'il faudra sortir et se cogner aux autres.

Mais où est donc passé le droit au réveil? Celui qui arrive tous les matins, familier et pourtant méconnu. Est-il fugitif à ce point ou si encombrant que l'on sente le besoin de s'en délester sitôt constaté? Comme si le passage d'un état à un autre excluait toute cohabitation. Zone innommée, indéfinie, troublante parce qu'elle suppose l'acceptation d'un ailleurs.

Et si ces questions s'immiscent et tentent de nous amener dans des centres trop peu fréquentés, la cohue qui s'agite à nos portes nous tend les bras, messie des païens. Masse casquée, vaguement moyenâgeuse qui nous laisse croire que l'on peut gagner. Merci Lancelôt.



Koyaanisqatsi - Live

by Robert M. Fabes, LLB III

Windswept deserts, roaring waterfalls, majestic canyons and the subtle but insistent sounds of flutes and synthesizers. A film and live music. The legend of the genius of Philip Glass and his live ensemble. So there we were mellowed-out (thanks to some great Ukrainian lasagna from Rick and Dagmar) and grooving on the sights and sounds, trying to figure out what koyaanisqatsi means (it's gotta be important 'cause some deep baritone is chanting it) when all of a sudden the wrath of the gods, in quadraphonic sound, rips through the theatre and this megaton earth-moving machine is looming on the screen. No doubts about it, we had definitely left the garden of

Eden...

The remainder of the film and the accompanying music took us through a continuous cacophony of claustrophobic and dizzying images. Abandoned tenements, massive demolitions, constant traffic flows and numerous assembly line scenes combined with the insistently mounting tones and phrases from the live orchestra to create increasingly uncomfortable levels of tension. I kid you not when I say that my «flee or perish» reflexes were brought into play. It seems, then, that this is where part of Glass' genius lies. He masterfully takes you to the edge of what is acutely unbearable, lets you peek at what's on the other side, and abruptly but definitely sets you back down, only to have the whole process repeated.

Aliens' Corner

by Olivier Boyer, LLM - Comparative Law

Ils sont presque 40 représentants de 16 pays: de la Chine à la Colombie, de Macao au Nigeria, sans oublier la Vieille Europe!

Votre serviteur leur a demandé de décrire en une phrase leurs premières impressions de McGill, ce à quoi ils ont répondu: «McGill Law School is truly old in every and literal sense» (Yong, China); «Scotty, beam me up» (Thorston, Germany); «The citadel of learning seems to be worth the effort of being here» (Ken, Nigeria); «Vous ne me connaissez pas encore mais je vous hais

déjà» (Tatie Danielle, France); «I would recommend that at least the beer be subsidised» (Christophe, Germany); «McGill c'est zop, je zappe et zigzague!» (Zophie, France); «If you have time, you will have a lot of fun at McGill, but...» (Chen-Hing, Taiwan); «Two pints of beer plus a packet of chips, please» (Gabrielle, England); «Education anglaise ou French lessons, McGill me le dira» (votre humble serviteur, France).

Comme vous le voyez, il y en a pour tous les goûts, alors si vous croisez un de ces «aliens», qu'il regarde ses chaussures ou vous sourit, parlez-lui et c'est garanti, vous verrez du Pays.

Koyaanisqatsi is a hopi indian word meaning life in chaos, life in turmoil. Apart from the evening's artistic merit, the film presented an interesting and provocative picture of man's treatment of natural and human resources. The striking differences between the opening scenes and the remainder of the film cannot but leave you wondering just what is the point to this hyper-technological, «I want it now», time is money mumbo-jumbo existence that we call living. Other than some hopi proverbs forecasting certain destruction should we choose to remain on the same path, I'm not too sure there are any answers. Koyaanisqatsi, a world so terrible that one can only choose to go to a better place. Sure makes you wonder...

Coup...

Suite de la p.7

ce moi et un autre? Il n'y a malheureusement que la mise en scène à blâmer pour avoir trop étiré l'illusion qui se livre dans la dernière scène.

3e Acte:

Puisqu'il m'a été donné d'assister à ces deux grands classiques en une même semaine, j'en profiterai et pour vous je les comparerai.

Je dirais du premier qu'il eut une naissance discrète, une vie de grandeur et une mort célèbre.

Quant au second, qui naquit sous le signe du feu, il eut une vie colorée mais une bien sombre mort.

Mais encore mieux, je vous dirai d'y aller voir vous-mêmes. Vous ne partagerez peut-être point mon avis. Ce qui ennuie les uns, les autres l'aiment. Cela fait partie de notre imprévisible vie.

COMPETITIVE MOOTING PROCESS

by Profs. Richard Janda and Stephen Toope

In the October 15, 1990 issue of *Quid Novi*, Marie Lussier raises some serious concerns respecting the selection process for this year's competitive moot teams. Ms. Lussier makes a number of points, but the most important issues she raises are the following. First, in her view, there was an injustice involved in the fact that some candidates who had participated in a competitive moot last year were selected for another moot this year. Second, she draws the conclusion that the faculty has an elitist concern with winning moots, and extrapolates from

this to suggest that decisions are made in the faculty based on values which have no place in an educational environment.

We were among the professors who participated in the selection process. One factual point merits clarification. There were not "approximately twenty" candidates who were turned away this year. Six candidates were turned away. Twenty were accepted, of whom four had taken part in another competitive moot last year.

Some explanation of the rationale behind the selection process is in order. When we were students at the faculty, mooting teams were chosen on an ad hoc basis

with interested individuals — often having ready-made teams — approaching the professor supervising any given moot. In part because students wanted a more transparent process, the current system was created whereby all mooting teams are chosen at once from the pool of all interested students. This is the first time in our acquaintance that there have been more applicants than mooting slots. The professors involved in selecting mooting teams have never before imagined excluding students from participating in a second moot because there was insufficient demand. Thus, over the past number of years, students who are especially keen on mooting have

Con't on p. 10

From our far side file:

Les grands mammifères :

Ourlours, dahus et quatpatàhus d'Amérique

par Philippe de Grandpré, B.C.L. II

Par un chaud après-midi d'été, sur le flanc d'un mont aux abords d'un lac des Laurentides ou de Mauricie, ou même lors d'une baignade dans le lac en question, il pourrait vous arriver un jour de tomber nez à mufle avec un mammifère que vous ne reconnaissez pas. Il pourrait alors s'agir du *quatpatàhu d'Amérique*, aussi appelé *ourleur*, et connu en France sous le nom de *dahu*.

Le propre de ces animaux est qu'ils ont les pattes de droite plus courtes que les pattes de gauche. « Dame Nature a bien des tours dans son sac », affirme sans ambage M. Steven Hogue, un grand spécialiste de la question. « La différence de longueur de pattes chez les ourlours permet à ces animaux de vivre sans problème à flanc de montagne, parfaitement adaptés qu'ils sont au plan incliné de leur territoire. C'est une des grandes merveilles de l'évolution. »

Les ourlours sont des animaux dangereux. Les grands-mères racontent qu'occasionnellement, un enfant tombe aux griffes de l'une de ces bêtes. Il est néanmoins difficile d'évaluer les pertes de vies humaines attribuables aux ourlours. En effet, ceux-ci sont mal connus et furent trop longtemps assimilés aux loups. La différence entre loups et quatpatàhus saute pourtant aux yeux : le quatpatàhus possède des bois comme le chevreuil.

Peu importe, il existe un truc très simple pour se défendre du dahu ou de l'ourleur : il suffit de contourner le dahu par le haut pour se placer derrière lui. L'animal essaie généralement de se retourner pour faire face à son vis-à-vis. En se retournant, le dahu place inévitablement ses pattes les plus longues en amont et ses pattes les plus courtes en aval : il déboule alors la montagne.

Selon une experte qui préfère conserver

l'anonymat et fréquente néanmoins cette faculté, il n'y a par conséquent aucune surprise au fait que les dahus se retrouvent aussi dans les lacs au pied des montagnes. Ceci arrive cependant plus rarement, car les dahus ne sont pas *a priori* des animaux marins : ils y repensent donc toujours par deux fois avant de faire le coup des pattes-courtes-du mauvais-bord dans les environs d'un lac.

Certes, les quatpatàhus marins d'Amérique sont bien plus dangereux que leurs cousins des montagnes, n'étant plus handicapés, en milieu aquatique, par l'asymétrie dans la longueur de leurs pattes. Les quatpatàhus marins vivent surtout sous l'eau, et ne laissent deviner leur présence, près des grèves, que par leurs bois à l'apparence de bois sec qui émergent de l'eau.

Il existe une certaine jurisprudence¹ en vertu de laquelle le quatpatàhus et

Suite à la p. 10

...Mooting**Con't from p. 9**

participated, say, in the Gale moot one year and in the Laskin moot another. One cannot participate in the same moot twice, which is one of the reasons why we ask students on the application what previous mooting-related experience they have had.

The first issue raised by Ms. Lussier really comes to this: should those who decided on the teams have changed the rules in light of increased demand for mooting? Should we have excluded some people — second time mooters — who have not been excluded in the past? Perhaps the answer is that Faculty Council should change the existing eligibility rules and instruct those who select mooting teams to favour students who have not participated before where there is over-demand. Indeed, the matter

is coming before the Curriculum Committee. But those on the selection committee did not feel it was their business to exclude eligible mooters retroactively. We may have suffered from a too highly developed "rule of law" mentality — not surprising for law professors.

There is, however, a deeper point in the other issue raised by Ms. Lussier. Even if one accepts that second time mooters were as eligible this year as in the past, were those who decided justified in applying the kinds of selection criteria they did, such as presentation of skills and reasoning in oral argument? Is this inherently elitist? Does it place too much value on winning competitions? Taken to its logical conclusion, an affirmative answer implies that the only appropriate process would be random selection. Ms. Lussier is right to intimate that the same

kind of "elitist" "competitive" dilemma is raised in a number of contexts in a law school — admissions policy, marking, selection of Law Journal members, allocation of prizes and scholarships and so on — none of which is based on random selection. One might suggest that in an environment truly devoted to education and education alone, all of these methods of discriminating between better and worse would disappear. Indeed, there would be no place for competitive mooting of any sort. Unless, of course, one can argue that there is something to be learned from evaluation. Encouraging people in their talents and alerting them to their limitations is no small part of good teaching — and this applies equally to what professors learn from students when subject to critical evaluation of the kind offered by Ms. Lussier.

Ourrlours...**Suite de la p. 9**

l'ourlour ne sont pas le même animal, mais plutôt des animaux cousins. Nous n'avons trouvé que très peu d'experts de cet avis. C'est là, sans le moindre doute, une question à examiner plus en profondeur²

Si vous désirez élever un quatpatàhu d'Amérique comme animal domestique, il paraît que bien dressé, et si vous ne vous faites pas manger avant, que vous avez une montagne et

beaucoup de gibier à lui offrir, c'est un animal tendre et fidèle. Certes un peu difficile à attraper... Mais heureusement, le quatpatàhu a un faible pour la confiture aux fraises. Et justement, la chasse au quatpatàhu ouvre le 25 octobre...

¹Voir notamment: Thériault c. Quatpatàhu, [1990] 1 R.J.Q. 103 (C.S.). Dans cette affaire, une action en dommages, le défendeur, lui-même

quatpatàhu, prétendit qu'alors que le quatpatàhu possède des bois comme le chevreuil, l'ourlour n'en possède pas. La demanderesse fit remarquer au tribunal que les femelles quatpatàhus n'ont pas de bois, contrairement aux mâles, et que le défendeur a peut-être les yeux dans sa poche. Le tribunal préféra néanmoins croire le défendeur, compte tenu de son expérience personnelle de quatpatàhu.

² Cela ferait certainement un bon sujet de thèse !

Miller's crossing

by Arnold Bornstein, LLB III

A lot of gangster movies have come out this fall. One of them is Miller's Crossing. Ethan Coen produced it, and Joel Cohen directed it. These two brothers have made a movie that never lets you forget that you're in the cinema. It's set in the twenties or thirties, in a nameless American city, with corrupt politicians, and lots of mobsters firing tommy guns. But the sets look like sets used in movies. Hardly any extras walk

on the streets. Hardly any cars drive by. You keep thinking that the fronts of the police station, and of the night clubs, are just façades, with slanted wooden beams propping them up from behind.

But the movie is interesting. I think it's about ethics, ethics among gangsters. There are a lot of references to principles, honesty, and «high hats». «Ethics» is the first (or just about first) word spoken in the movie. I think it would be a neat intellectual exercise to try to figure out

how those references give the movie its meaning. If you enjoy the movie at all, it's because you want to go through that exercise. But the movie ends up being the equivalent of a crossword puzzle, or, I don't know, a problem in corporate tax. The film doesn't appeal to your emotions.

I think the makers of a movie should try to draw you into their movie. The Cohen brothers don't draw you into their movie. The plot is (I'm being kind) too complex.

Con't on p. 12

Coin des Sports Corner

by Lori Knowles, LLB III

In recognition of the aggressive impulses we all possess and that are occasionally evident in athletic endeavours, this article is dedicated to the «team goons»!

Men's Basketball: Jane's Memory: These men of towering proportions were defeated in a heartbreaking loss by 2 pts. at the buzzer. I'm told that devastated by injuries both spirit and morale were low. Buzz and Jim H. should both be limping around the halls this week. Despite this obstacle, Maus «Red» H. and rookie Alain S. bounded blithely around the court. The grapevine tells me that leadership on court is lacking and the team is psyched out by a lack of height and support. A communal team cry for players and «help»! **Team goon:** Mark S. who makes up for a less than perfect grasp of rules by «covering people and nailing 'em».

Volleyball Co-rec: Special K: A whopping 39-9 victory for this crew of volleyball stars! Service par excellence by Lisa Y. and «Spikes from Hell» by Dirk B. insured this embarrassing win. Haven't you guys heard of the mercy rule? These tots are play-off bound! **Team goon:** Christian Immer who brutally attacks his own teammates [and he looks so angelic!]. He's obviously a little bit confused by the net [tip: your opponents are on the other side].

Softball Men's: Regal Legals: On a cold, windy Friday afternoon, the Legals played a stellar game both offensively and in the field. Once the dust settled, the final score was 11-3. The outfielders were strong with key plays from Jordan W., Martin S. and Andrew R.. Howard M. was «pitching and fielding perfection». At bat, Smoothie dropped in a key triple and added a single. All in all, a recipe for success. Great game, gents!

Force Majeure: Only 7 of 17 players showed up on time for a sunny 11:30 a.m. Sunday game. The team disgracefully defaulted their first [and now last] playoff game. Two other stragglers showed up late and the game was played as an exhibition match. The Force won a moral victory 6-1. Where were you all Saturday night? **Team goon:** Michael Wolfe, who never showed up for one game all season! Hey beanheads, show up for your games!

Co-rec: Les Misérables: They weren't. Another default win to add to their record. Hey, any win will do, right? The team is looking forward to do battle in a real game soon.

Outlaws: This spirited team [a favourite of the sports coordinators'] got a little lazy after a strong 12-1 lead. The women players were generally hot and several home runs were had, but as we «couch-potatoed», the other team snuck up on us and when we looked around, we were tied 13-13.

The game was prematurely cut off by an injury to the opposing team [Alison «Nightingale» T. swung into action]. **Team goon:** Kathleen «Smurf» M. who beamed a line drive into her own pitcher's back! Darren says he'll try to forgive her when he begins to heal.

Men's Soccer: The Kickbacks: These fleet-of-foot fellows have an impressive 3 wins 1 tie record. Details are sparse, but a recent 5-1 win filtered through the rumor mill. Also, that the guys are thanking their lucky stars for Dirk B. who is an excellent goalie. **Team goon:** Andrew L. who has been substantially less goonish than last year.

Women's Soccer: The Kickbackees: What is happening with these ladies, you ask? Got me. All I know is they lost their last game 4-0, but they had only 7 players to their opponents' 11. These soccer

types tend to be a little secretive. **Team goon:** Jennifer G. says there ain't one. «We're all well-behaved and gentle types.» We're not buying it, ladies!

Hockey Men's: AA: Scores pending. The men tell me they're ready to «win this one for the Gipper». **Team goon:** this was a hard fought battle with many qualified candidates. However, Martin S. is filling in while the team anxiously awaits the arrival of Jacques N.

Women: The two ladies' law teams squared off in a battle of the oldies versus the rookies. Malum in se won 6-1 and the scars are sill healing. Stacy Z. scored the first goal of her career and excellent coaching was key in this victory. Veronica M. was stupendous in goal for the Public Offender keeping the game within reach. **Team goons:** Malum in se: Jen «Killer» Z.. Public Offenders: a hands down victory to goon Alison T. who had two penalties in this last encounter. Fearing her friends will abandon her, she insists she was «wristing not elbowing» and that she «did not elbow that girl in the neck».

Ultimate Frisbee: California Raisins: I heard it through the grapevine that the Raisins won their first playoff game by default. Toby gave it his all in the ensuing exhibition match. Onwards they march. **Team goon:** André B., need I say more?

Pinball goons: Jacques N. and Stewart C., leave those machines alone, you goons! A warning: I know who you are, and I'm watching to catch you machine-abusing...

Law Games: YES FOLKS! The final figures are in, the T-shirts are in process [designs are still welcome] and the fundraising amateur night on Nov. 1st is a «sure thing». Start planning, start saving, start practicing your «hall walk». Con't on p. 12

...Sports...

Con't from p. 11

Figures and info to follow.

Love from the sports-goon. Kanolies.

SQUASH LADDER: CLIMB INTO SHAPE:

After a hiatus of some three years, the squash ladder has been reactivated. The board in in the Pit, and all are invited to participate. To get your name on the board, you need only write your name and phone number on a piece of paper, and give it along with \$1,00 to Andrew Lister or myself. For your buck, you get

a tag which you place on the board at a level which you believe corresponds to your level of play. The money will be used to pay for the tags and the excess will go towards prizes at the end of the year.

Il n'y aura qu'une échelle pour les deux sexes. Une fois que votre nom est placé sur les tableaux, vous grimpez l'échelle en battant les joueurs placés un ou deux rangs supérieurs à vous. Vous pouvez également jouer contre ceux qui sont placés un ou deux rangs en-dessous de votre classement. Les joueurs se mettent d'accord avant de commencer leur match s'ils vont jouer trois ou cinq jeux. Les

joueurs changent de place sur le tableau si le gagnant était placé en-dessous du perdant, mais si le gagnant était déjà au-dessus, il n'y aura aucun changement.

To challenge players you need only telephone the number listed on their tag. Once a challenge has been issued the match must take place within one week or the challenger has the right to exchange positions by default. Players cannot refuse to play. The rules of this ladder work on the honour system and players must resolve any differences amicably in keeping with the spirit of the game.

Université de Montréal to Become First Permanent Member of FEEQ

by Robert M. Fabes, LLB III

By late Thursday October 18, the results were in: 54% of those voting agreed to FAECUM (the Fédération des associations étudiantes du campus de l'Université de Montréal) becoming a permanent member of the Fédération des étudiants et étudiantes du Québec (FÉÉQ). Once the referendum results are ratified by FAECUM's administrative council, each of the 23 000 students will pay \$1,00 per semester directly to FÉÉQ. More importantly, FAECUM will not be able to rescind its membership without holding another referendum. This provision of FÉÉQ's constitution ensures a secure degree of stability

within this up and coming province-wide university student association.

The FÉÉQ referendum was held at McGill on October 23, 24 and 25. The «Yes» committee stressed the need to end McGill's isolation from other Québec universities as well as the need for increased student participation in the overall administration of the Québec university system. The «No» committee focused their efforts on using the FÉÉQ referendum as a means of highlighting the continuing problems between graduate and undergraduate students at McGill.

By now we know whether or not McGill

is FÉÉQ's next permanent member. In addition, by November 9, the results from similar referenda being held at the Université du Québec à Abitibi-Témiscamingue and at the Université du Québec à Trois-Rivières will also be known. Should those results be positive, and considering the fact that Université du Québec à Chicoutimi, Université du Québec à Rimouski and AGEEFEP (the association for continuing education students at Université de Montréal) are already interim members, FEEQ will represent close to 100 000 university students. Should FEEQ succeed, it will have become the largest university student association in Québec history.

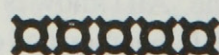
Miller's...

Con't from p. 10

All the characters are always talking about whom they will and won't betray, and about whom they suspect will betray them. You have to listen closely to the dialogue to figure out what's going on. Sooner or later, you get fed up with listening. You don't go to a movie just to hear clever conversations. You want pictures; you want images. But memorable images are rare in this movie. (If you've seen the trailer for the film, you've already seen the best image. A crook, on his knees in the forest, is

begging not to be shot. This scene has visceral appeal: it makes you feel pity or contempt for the guy who is begging, or it makes you feel just plain sick.) Miller's Crossing may as well have been a radio play.

I can't recommend it. Miller's Crossing isn't good. It doesn't give you what a movie should give you, it doesn't do what a movie should do.



Quote of the week

Things are getting too serious. Everyone's obsessed with full-time jobs and suits. No one wants to play anymore.

-Carol Gordon